

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

KEVIN A. ASHBY,

Civil No. 08-870 MJD/SRN

Plaintiff,

v.

ORDER

**SLM CORPORATION and
SALLIE MAE, INC.,**

Defendants.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson dated April 7, 2008. No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. Plaintiff's "Application to Proceed Without Prepayment of Fees," (Docket No. 2), is DENIED;
2. This action is DISMISSED pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

DATED: April 30, 2008.

s/Michael J. Davis
Judge Michael J. Davis
United States District Court Judge